

CLOSED

**U.S. District Court
Southern District of California (San Diego)
CRIMINAL DOCKET FOR CASE #: 3:23-mj-01017-WVG All Defendants**

Case title: USA v. Whyte

Date Filed: 03/23/2023

Date Terminated: 04/07/2023

Assigned to: Magistrate Judge William V.
Gallo

Defendant (1)**Arthur Whyte***TERMINATED: 04/07/2023**also known as*

Allen Wright

*TERMINATED: 04/07/2023*represented by **Paul W. Blake , Jr.**

747 South Mission Road

Box 2636

Fallbrook, CA 92028

619-208-2470

Email: paulwblake@att.net

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED**Designation: CJA Appointment***Pending Counts**

None

Disposition**Highest Offense Level (Opening)**

None

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

21:841(a)(1) and (b)(1)(A) - Distributed
500 grams or more of Methamphetamine

Disposition**Plaintiff**

USA

represented by **U S Attorney CR**

U S Attorneys Office Southern District of
California
Criminal Division
880 Front Street
Room 6293
San Diego, CA 92101
(619)557-5610
Fax: (619)557-5917
Email: Efile.dkt.gc2@usdoj.gov
TERMINATED: 03/27/2023
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant United States
Attorney

Evangeline Athena Dech

DOJ-USAO
880 Front Street
San Diego, CA 92101
619-800-9669
Email: evangeline.dech@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant United States
Attorney

Date Filed	#	Docket Text
03/23/2023		Arrest of Arthur Whyte (cc: AUSA/USM) (no document attached) (bas1) Modified on 3/29/2023 to reflect name change (mxl). (Entered: 03/23/2023)
03/23/2023	<u>1</u>	OUT OF DISTRICT COMPLAINT as to Arthur Whyte. (Attachments: # <u>1</u> Info Sheet) (cc: AUSA/USM) (bas1) (Main Document 1 replaced on 3/24/2023) (alns). (alns). Modified on 3/29/2023 to reflect name change (mxl). (Entered: 03/23/2023)
03/23/2023	2	Set/Reset Duty Hearings as to Arthur Whyte: Initial Appearance - ODC set for 3/23/2023 before Magistrate Judge William V. Gallo. (no document attached) (mef) Modified on 3/29/2023 to reflect name change (mxl). (Entered: 03/23/2023)
03/23/2023	3	Minute Entry for proceedings held before Magistrate Judge William V. Gallo: Government oral motion to unseal the case is granted. Status Hearing re Initial Appearance ODC as to Arthur Whyte held on 3/23/2023. Defendant not appearing. Matter continued. (Initial Appearance - ODC set for 3/24/2023 before Magistrate Judge William V. Gallo.) (Sealed Clerk Notified) (CD# 3/23/2023 WVG 23-1:4:59-5:00). (Plaintiff Attorney Evangeline Dech AUSA). (Defendant Attorney T.Torres FD-S/A). (no document attached) (aje) Modified on 3/29/2023 to reflect name change (mxl). (Entered: 03/24/2023)
03/24/2023	5	Minute Entry for proceedings held before Magistrate Judge William V. Gallo: Initial Appearance - Out of District Complaint as to Arthur Whyte held on 3/24/2023. Attorney Paul W. Blake, Jr(n/a) appointed as counsel for Arthur Whyte. Government

		oral motion to detain(Flight). (Detention Hearing - RF set for 3/29/2023 01:30 PM before Magistrate Judge Michael S. Berg. Removal/ID Hearing set for 4/6/2023 09:30 AM before Magistrate Judge William V. Gallo.) (CD# 3/24/2023 WVG 23-1:3:14-3:18). (Plaintiff Attorney Evangeline Dech AUSA). (Defendant Attorney Lynette Belsky FD-S/A). (no document attached) (aje) Modified on 3/29/2023 to reflect name change (mxl). (Entered: 03/27/2023)
03/24/2023	6	***English. No Interpreter needed as to Arthur Whyte (no document attached) (aje)Modified on 3/29/2023 to reflect name change (mxl). (Entered: 03/27/2023)
03/24/2023	7	Oral MOTION to Detain (Flight)by USA as to Arthur Whyte. (no document attached) (aje) Modified on 3/29/2023 to reflect name change (mxl). (Entered: 03/27/2023)
03/27/2023	4	NOTICE OF ATTORNEY APPEARANCE Evangeline Athena Dech appearing for USA. (Dech, Evangeline)Attorney Evangeline Athena Dech added to party USA(pty:pla) (dim). (Entered: 03/27/2023)
03/29/2023	8	Minute Entry for proceedings held before Magistrate Judge Michael S. Berg: True Name as to previously known Allen Wright is Arthur Whyte. Detention Hearing as to Arthur Whyte held on 3/29/2023. USA oral motion for detention; motion is moot as to Arthur Whyte. Defendant stipulates to detention and is ordered detained without prejudice. Court to prepare order. (CD# 3/29/2023 MSB 1:35; 1:37-1:38). (Plaintiff Attorney Sarah Goldwasser, AUSA S/A for Evangeline Dech). (Defendant Attorney Paul Blake, CJA). (no document attached) (mxl) (Entered: 03/29/2023)
03/29/2023	9	FINDINGS OF FACT AND ORDER OF DETENTION as to Arthur Whyte. Signed by Magistrate Judge Michael S. Berg on 03/29/2023. (mjw) (Entered: 03/29/2023)
04/06/2023	10	Minute Entry for proceedings held before Magistrate Judge William V. Gallo: Removal/ID Hearing as to Arthur Whyte held on 4/6/2023. Defendant waives Removal/ID Hearing, waiver filed. Defendant is ordered removed to the Western District of Virginia. Warrant of Removal issued to USM. (CD# 4/6/2023 WVG 23:9:28-9:37). (Plaintiff Attorney Alexander Kristofcak, AUSA). (Defendant Attorney Paul W. Blake, CJA). (no document attached) (yem) (Entered: 04/06/2023)
04/07/2023	11	WAIVER of Rule 5 Hearings by Arthur Whyte (dim) (Entered: 04/07/2023)
04/07/2023	12	WARRANT of Removal to District of Western District of Virginia Issued as to Arthur Whyte. (dim) (Entered: 04/07/2023)
04/07/2023	13	NOTICE to Receiving District: (Western District of Virginia) , of Case Removal, as to Arthur Whyte. The following documents are available on the public docket: 1 Out of District Complaint (Sealed), 11 Waiver of Rule 5 Hearings, 4 Notice of Attorney Appearance - USA, 9 Findings of Fact and Order of Detention. To request additional transfer information and/or to submit acknowledgment re receipt of transfer, please email InterdistrictTransfer_CASD@casd.uscourts.gov.. (All non-registered users served via U.S. Mail Service)(dim) (Entered: 04/07/2023)

ORDERED UNSEALED on 3/23/2023 s/ Alexandra

SEALED

s/ Alexandra Sudan

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ARREST ON OUT-OF-DISTRICT OFFENSE

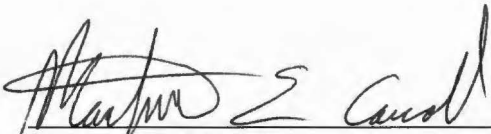
CASE NUMBER: 23MJ1017

The person charged ALLEN WRIGHT now appears before this United States District Court for an initial appearance as a result of the following charges having been filed in the United States District Court for the Western District of Virginia with: knowingly and intentionally distributed 500 grams or more of methamphetamine, a Schedule II controlled substance, into the Western Judicial District of Virginia , in violation of 21 U.S.C. Section(s) 841(a)(1) and (b)(1)(A).

The charging documents and warrant for the arrest of the defendant which was issued by the above United States District Court are attached hereto.

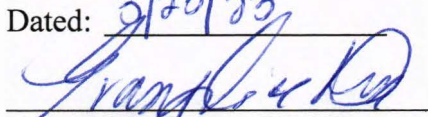
I hereby swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

DATED: March 23, 2023


MATT CARROLL
Postal Inspector
United States Postal Inspection Service

Reviewed and Approved

Dated: 3/23/23


EVANGELINE A. DECH
Assistant United States Attorney

COPY

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

SEALED

United States of America

v.

Allen Wright

SEALED

Case No. 7:21CR00046

NOT FOR PUBLIC VIEW

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) Allen Wright

who is accused of an offense or violation based on the following document filed with the court:

- ☒ Indictment
 ☐ Superseding Indictment
 ☐ Information
 ☐ Superseding Information
 ☐ Complaint
- ☐ Probation Violation Petition
 ☐ Supervised Release Violation Petition
 ☐ Violation Notice
 ☐ Order of the Court

This offense is briefly described as follows:

Trafficking - No prior Serious Drug or Violent Felony Offense

Date: 11/18/2021


Deputy Clerk

City and state: Roanoke, Virginia

Elizabeth K. Dillon, United States District Judge

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____

at (city and state) _____.


Date: _____

Arresting officer's signature

Printed name and title

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

NOV 18 2021

JULIA DUDLEY, CLERK
BY:  DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION
NOVEMBER 2021 SESSION

UNITED STATES OF AMERICA

Criminal No. 7:21-CR-

46

v.

SEALED INDICTMENT

ALLEN WRIGHT

In Violation of:

SEALED

21 U.S.C. § 841(a)(1)

COUNT ONE

The Grand Jury charges:

1. That on or about December 2, 2019, the defendant, ALLEN WRIGHT, did knowingly and intentionally distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, into the Western Judicial District of Virginia.

2. All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A):

COUNT TWO


The Grand Jury further charges:

1. That on or about December 2, 2019, at a time and place different from Count I, the defendant, ALLEN WRIGHT, did knowingly and intentionally distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, into the Western Judicial District of Virginia.

2. All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A).

A TRUE BILL. this 18 day of November, 2021.

s/Grand Jury Foreperson
FOREPERSON

For 
CHRISTOPHER R. KAVANAUGH
UNITED STATES ATTORNEY

COPY

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

United States of America

v.

Allen Wright

SEALED

SEALED

Case No. 7:21CR00046

NOT FOR PUBLIC VIEW

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay

(name of person to be arrested) Allen Wright

who is accused of an offense or violation based on the following document filed with the court:

- ☒ Indictment
 ☐ Superseding Indictment
 ☐ Information
 ☐ Superseding Information
 ☐ Complaint
- ☐ Probation Violation Petition
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This offense is briefly described as follows:

Trafficking - No prior Serious Drug or Violent Felony Offense

Date: 11/18/2021

Deputy Clerk

City and state: Roanoke, Virginia

Elizabeth K. Dillon, United States District Judge

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____

at (city and state) _____.

Date: _____


Arresting officer's signature

Printed name and title

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

NOV 18 2021

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION
NOVEMBER 2021 SESSION

JULIA DUDLEY, CLERK
BY:  DEPUTY CLERK

UNITED STATES OF AMERICA

Criminal No. 7:21-CR-46

v.

SEALED INDICTMENT

ALLEN WRIGHT

In Violation of:

SEALED

21 U.S.C. § 841(a)(1)

COUNT ONE

The Grand Jury charges:

1. That on or about December 2, 2019, the defendant, ALLEN WRIGHT, did knowingly and intentionally distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, into the Western Judicial District of Virginia.

2. All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A):

COUNT TWO


The Grand Jury further charges:

1. That on or about December 2, 2019, at a time and place different from Count I, the defendant, ALLEN WRIGHT, did knowingly and intentionally distribute 500 grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, into the Western Judicial District of Virginia.

2. All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A).

A TRUE BILL. this 18 day of November, 2021.

s/Grand Jury Foreperson
FOREPERSON

For 
CHRISTOPHER R. KAVANAUGH
UNITED STATES ATTORNEY

DEFENDANT LOCATOR FORM

Name of Defendant: WRIGHT, Allen DOB: _____

Date of Arrest: 03/23/2023 Time of Arrest: 06:00 AM

Arresting Agent/Agency: US Postal Inspection Service

Country of Citizenship: Jamacia (If "Other", enter citizenship)

Immigration Status: Illegal Alien (If "Other", enter status)

MCC Information

Reservation no.: _____ or Window Time: _____

Date of Booking: _____ Booking Number: _____

Other Booking Facility Information

(GEO, CCA, Juvenile Hall, State or County facility)

Facility: _____ Arrival Date: _____ Temporary Stay: **Yes** or **No**

Hospitalized Defendant Information

Name of Medical Center: _____

Date of Hospital Admittance: _____ Time: _____

Reason for Hospitalization: _____

Expected Date of Discharge (Approx. if known) _____

RANDY S. GROSSMAN
United States Attorney
EVANGELINE A. DECH
Assistant U.S. Attorney
California Bar No. 326832
United States Attorney's Office
880 Front Street, Room 6293
San Diego, California 92101-8893
Telephone: (619) 546-9744
Email: Evangeline.Dech@usdoj.gov

Attorneys for Plaintiff
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALLEN WRIGHT,

Defendant.

Case No.: 23-MJ-1017-WVG

NOTICE OF APPEARANCE

TO THE CLERK OF COURT AND ALL PARTIES OF RECORD

I, the undersigned attorney, enter my appearance as lead counsel for the United States in the above-captioned case. I certify that I am admitted to practice in this court or authorized to practice under CivLR 83.3.c.3-4.

The following government attorneys (who are admitted to practice in this court or authorized to practice under CivLR 83.3.c.3-4) are also associated with this case, should be listed as lead counsel for CM/ECF purposes, and should receive all Notices of Electronic Filings relating to activity in this case:

Name

None.

Effective this date, the following attorneys are no longer associated with this case and should not receive any further Notices of Electronic Filings relating to activity in this case (if the generic “U.S. Attorney CR” is still listed as active in this case in CM/ECF, please terminate this association):

Name

None.

Please feel free to call me if you have any questions about this notice.

DATED: March 27, 2023.

Respectfully submitted,

RANDY S. GROSSMAN
United States Attorney

s/ Evangeline A. Dech
EVANGELINE A. DECH
Assistant U.S. Attorney
Attorneys for Plaintiff
United States of America

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

United States Of America,

Plaintiff,

v.

Arthur Whyte,

Defendant.

Case No. 23MJ1017-WVG

**FINDINGS OF FACT AND ORDER
RE WAIVER OF DETENTION
PENDING TRIAL**

In accordance with the Bail Reform Act of 1984, 18 U.S.C. §3142(f), a detention hearing was scheduled for **3/29/2023**, to determine whether **Arthur Whyte** (the “Defendant”) shall be held in custody without bail pending trial and, if convicted, sentencing in the above-captioned matter.

At the hearing on **3/29/2023**, the Defendant knowingly and voluntarily waived all rights, on the record and through counsel, to the setting of bail and the detention hearing. Based on that waiver, the Court orders that Defendant be detained pending trial because they are a serious flight risk and, if convicted, sentencing in these matters, without prejudice or waiver of the Defendant’s right to later apply for bail and conditions of release, and without prejudice or waiver of the right of the United States to seek detention in the event of an application by Defendant for such relief.

//

ORDER

IT IS HEREBY ORDERED that Defendant be detained pending trial and, if convicted, sentencing in these matters.

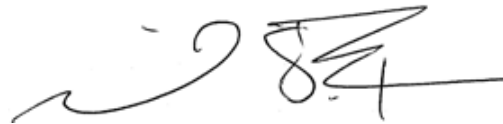
IT IS FURTHER ORDERED that Defendant be committed to the custody of the Attorney General or their designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or service sentence or being held pending appeal. The Defendant shall be afforded reasonable opportunity for private consultation with counsel.

While in custody, upon order of a court of the United States or upon the request of an attorney for the United States, the person in charge of the correctional facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding or any other appearance stipulated by defense and government counsel.

This order is made without prejudice to modification by this Court and without prejudice to the Defendant's exercise of the right to bail and a detention hearing at a future date.

IT IS SO ORDERED.

DATED: 3/29/2023



HONORABLE MICHAEL S. BERG
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT

for the
Southern District of California

United States of America

v.

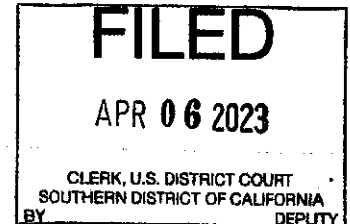
Anthony Wright
Defendant

AKA, Anthony Wright

Case No. 23 mj - 1017 WUG.

Charging District's Case No.

WAIVER OF RULE 5 & 5.1 HEARINGS (Complaint or Indictment)



I understand that I have been charged in another district, the (name of other court)

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☐ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☒ an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my
 - ☒ preliminary hearing and/or ☒ detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: April 5, 2023

Defendant's signature

Signature of defendant's attorney

Paul W. Blaker
Printed name of defendant's attorney